

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Lawrence Crawford, #3000839)	C.A. No. 0:06-908
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
SC Attorney Generals Office; John)	
Meadors; W. Barney Giese; Ronald W.)	
Moak; Dr. Joel Sexton; and Janice E.)	
Ross;)	
)	
Defendants.)	
)	

This action, seeking relief pursuant to Title 42, United States Code, Section 1983, was filed by *pro se* Plaintiff Lawrence Crawford on March 22, 2006. (Doc. #1). On March 28, 2006, Magistrate Judge Bristow Marchant, to whom this matter had been previously assigned, issued a Report and Recommendation (“the Report”) in this case recommending “that the within Complaint be dismissed without prejudice and without issuance or service of process” and “that this case be deemed a ‘strike’ under 28 U.S.C. § 1951(e)(2) and (g).” (Doc. #5). On April 7, 2006, the Plaintiff timely filed objections to the Report. (Doc. #6). This matter is now before the Court for review of the Report issued by the Magistrate Judge.

In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections. . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual

or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F.Supp. 137, 138 (D.S.C. 1992) (citations omitted). In light of this standard, the Court has carefully reviewed the Report and the objections thereto. The Court elects to accept the Report.

Therefore, for the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #5) and that the complaint be dismissed without prejudice and without issuance or service of process and this case be deemed a "strike" under 28 U.S.C. § 1951(e)(2) and (g).

IT IS SO ORDERED.

S/ Terry L. Wooten
Terry L. Wooten
United States District Judge

December 18, 2006
Florence, South Carolina